

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

JOSEPH PASTORE

Case No. 16-1425-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 13, 2016 in the county of Lancaster in the Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

21 U.S.C. Sections 841(a)(1), (b)(1)
(B); 18 U.S.C. Section 924(c).

Offense Description

On November 13, 2016, in Lancaster County, in the Eastern District of Pennsylvania, defendant Joseph Pastore knowingly and intentionally possessed with intent to distribute fifty (50) grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance; and possessed and firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c).

This criminal complaint is based on these facts:

See attached affidavit, incorporated herein as if set forth in full.

☒ Continued on the attached sheet.



Complainant's signature

Carmen DiMario, Special Agent FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/21/2016



Judge's signature

City and state: Allentown, Pennsylvania

Henry S. Perkin, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR ARREST WARRANT**

I, Carmen DiMario, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent (SA) with the Federal Bureau of Investigation ("FBI") for over 6 years and am currently assigned to the Philadelphia Division. I previously worked in the Houston Division. I am currently assigned to a criminal squad. I have been the case agent on multiple criminal investigations involving drugs, violent crimes and other criminal activity. I have written, sworn to, and executed applications for pen registers and search warrants; I have written, worked on and assisted with Title III and FISA applications and intercepts; I have directed consensual recordings; and I have testified at trial. Prior to joining the FBI, I worked as a criminal defense attorney, for over five years, working on both state and federal cases, including multiple complex drug cases.

2. As a special agent I have assisted in aspects of drug investigations including conducting surveillance, analyzing information obtained from court-ordered pen register and trap and trace intercepts, and analyzing telephone toll information obtained as a result of subpoenas issued by the FBI. I have consulted with FBI agents assigned to drug squads and other law enforcement specialized in narcotics during the course of this investigation.

3. This affidavit is being submitted in support of a Criminal Complaint and Arrest Warrant for the arrest of Joseph PASTORE on charges of possession with intent to distribute a controlled substance, namely, methamphetamine, in violation of Title 21 United States Code,

Section 841(a)(1), (b)(1)(B), and possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18 United States Code, Section 924(c).

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. On November 10, 2016, the Honorable Henry S. Perkin authorized a search warrant for a 2016, black Yukon Denali, with Pennsylvania State License Plate number KCK-2519, and Vehicle Identification Number 1GKS2CKJ8GR253961, (Target Vehicle #2), registered to and driven by Joseph PASTORE.

6. On November 13, 2016, at approximately 4:25 p.m., Pennsylvania State Troopers, including FBI Task Force Officers, conducted a vehicle stop of a Target Vehicle #2, near Ephrata, Pennsylvania, which is located in the Eastern District of Pennsylvania. Joseph PASTORE was removed from the vehicle.

7. Upon executing the search warrant on Target Vehicle #2, FBI Special Agents located a compartment behind the GPS system in the front of the vehicle. Inside the compartment were two packets, one containing a white, chunky substance, and one containing a white crystalline substance. Based on your affiant's training, experience and the investigation to date, I believe those substances to be controlled substances, specifically methamphetamine and

cocaine. Agents conducted a field test on each packet, which tested positive for methamphetamine and cocaine.

8. Agent also recovered a Ruger, Model: LCP, Caliber: .380 Handgun, Serial # 371046867, loaded with six live round, which was located on top of the packets of controlled substances, inside the compartment.

9. On November 13, 2016, your affiant reviewed with PASTORE an FD-395, advice of rights form. After PASTORE read the form and signed it, agents took a statement from PASTORE, wherein PASTORE admitted that he had stashed two ounce of methamphetamine and 50 grams of cocaine, along with a firearm inside the hidden compartment in his vehicle. PASTORE further explained that he was transporting these drugs for an intended drug transaction that evening.

CONCLUSION

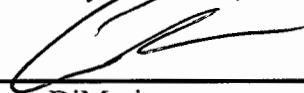
10. Based upon the foregoing information, your affiant submits that probable cause exists to believe that on November 13, 2016, Joseph PASTORE possessed with intent to distribute a controlled substance, named methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and possessed a firearm in furtherance of a drug trafficking crime, in violation of Title 18 United States Code, Section 924(c).

REQUEST FOR SEALING

11. I further request that the Court order that all papers in support of this application, including the affidavit and arrest warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of

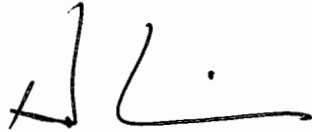
the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Carmen DiMario
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on November 21, 2016



HENRY S. PERKIN
UNITED STATES MAGISTRATE JUDGE